

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

UNION ELECTRIC COMPANY, )  
d/b/a AMEREN UE, )  
a Missouri corporation, )  
 )  
Plaintiff, )  
 )  
v. ) Case No. 2:05-CV-04375 NKL  
 )  
BERNARD MOWINSKI, )  
 )  
Defendant. )

## ORDER

On September 22, 2006, Plaintiff Union Electric Company and Defendant Bernard Mowinski appeared before the Court on the matter of Plaintiff's Motion for Contempt. Evidence and arguments were presented by the parties. After thorough consideration of the evidence and arguments, the Court finds as follows:

1. That on February 21, 2006, the parties met and entered into a settlement agreement. The agreement required Defendant to modify his boat dock, located on the Lake of the Ozarks and attached to property in the Spring Hollow Subdivision, Camden County, Missouri, and to pay application and use fees to Plaintiff.
2. That Defendant was notified of the requirement to pay the application and use fees and that Defendant had a fair opportunity to pay the fees, which he chose not to pay.
3. That Defendant does not have a valid permit issued by Plaintiff for said

boat dock, and, accordingly, Defendant's dock should not be on the waters of the Lake of the Ozarks.

4. That Defendant is in contempt of this Court.

Accordingly, it is hereby

- (1) ORDERED that Plaintiff Union Electric Company is authorized to remove Defendant Bernard Mowinski's boat dock from the waters of the Lake of the Ozarks and to dispose of said dock as Plaintiff sees fit;
- (2) ORDERED that Defendant pay the full amount of all costs incurred by Plaintiff for the removal and disposition of said dock; and
- (3) ORDERED that Defendant pay attorney fees in the amount of \$500.00 to the law firm of Smith Lewis, LLP.

s/ Nanette K. Laughrey  
NANETTE K. LAUGHREY  
United States District Judge

DATE: October 2, 2006  
Jefferson City, Missouri